

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Costa Rontrell Pender

Docket No. 5:12-CR-234-1FL

Petition for Action on Supervised Release

COMES NOW Matthew A. Fmura, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Costa Rontrell Pender, who, upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Distribute and Possess With Intent to Distribute 280 Grams or More of Cocaine Base (Crack) and a Quantity of Cocaine, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on February 6, 2013, to the custody of the Bureau of Prisons for a term of 131 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

On May 19, 2015, pursuant to Federal Rule of Criminal Procedure 35(b), the defendant's sentence of imprisonment in Count 1 was reduced to 99 months.

On December 8, 2015, pursuant to 18 U.S.C § 3553(c)(2) of the Federal Rules of Criminal Procedure, the defendant's sentence of imprisonment in Count 1 was reduced to 80 months. Costa Rontrell Pender was released from custody on February 2, 2018, at which time the term of supervised release commenced.

On February 9, 2019, a Violation Report was filed for new criminal conduct of Indecent Exposure in Wilson County, North Carolina (19CR50431). Supervision was continued pending adjudication of the charge.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 14, 2019, Pender pled no contest to the charge of Indecent Exposure (19CR50431) and was found guilty of a lesser offense, Second Degree Trespass, in Wilson County District Court. The defendant was ordered to serve 20 days in Wilson County Jail, suspended for 18 months of unsupervised probation. He was further ordered to pay court costs and a fine of \$200, and to not go on the premises of any Walmart. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Matthew A. Fmura
Matthew A. Fmura
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2345
Executed On: June 24, 2019

ORDER OF THE COURT

Considered and ordered this 25th day of June, 2019, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge